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20 UNITED STATES DISTRICT COURT
21 FOR THE NORTHERN DISTRICT OF CALIFORNIA
22 SAN FRANCISCO DIVISION

23 AMERICAN FEDERATION OF
24 GOVERNMENT EMPLOYEES, AFL-CIO;
25 AMERICAN FEDERATION OF STATE
26 COUNTY AND MUNICIPAL EMPLOYEES,
27 AFL-CIO, et al.,

28 Plaintiffs,

v.

UNITED STATES OFFICE OF PERSONNEL
MANAGEMENT, et al.,

Defendants.

Case No. 3:25-cv-01780-WHA

**SUPPLEMENTAL DECLARATION OF
DON NEUBACHER**

1 **SUPPLEMENTAL DECLARATION OF DON NEUBACHER**

2 I, Don Neubacher, declare as follows:

3 1. I am a Board Member of the Coalition to Protect America's National Parks, which is a
4 Plaintiff in this action. This declaration supplements my previous declarations submitted in this case
5 (Dkt. 18-15, 39-3).

6 2. My previous declarations have focused on the likely impairment to our members' use
7 and enjoyment of the National Parks as a result of the termination of probationary employees that is
8 challenged in this case. This declaration expands the discussion of likely impairments to our
9 members' use and enjoyment of other public lands, including lands operated by the Bureau of Land
10 Management ("BLM") and Forest Service ("USFS"), wildlife refuges operated by Fish & Wildlife
11 Service ("FWS"), and marine sanctuaries administered by the National Oceanic & Atmospheric
12 Administration ("NOAA"). The Coalition's members, including myself, are avid users of these other
13 public assets as well as the National Parks, both for recreation and conservation activities.

14 3. For example, NOAA's Office of National Marine Sanctuaries is a small agency but it
15 manages enormous swathes of ocean around the United States, from Hawaii and the Greater
16 Farallones to the Florida Keys, as well as in the Great Lakes region. These marine sanctuaries have
17 already been hit especially hard by the termination of probationary employees challenged in this case.
18 For example, one of our members has reported that probationary employee terminations have
19 drastically impacted the Olympic Coast National Marine Sanctuary ("NMS"), the Monterey Bay
20 NMS, and the Thunder Bay NMS, among others. The loss of specialist federal employees charged
21 with managing these sanctuaries is likely to impair the ability to preserve these pristine areas, leading
22 to the degradation of marine ecosystems and harm to the rare species that can be viewed in those
23 habitats, and is also likely to reduce public access to these areas. The results of these reductions in
24 staffing are therefore likely to impair our members' recreational activities in the marine sanctuaries.

25 4. We also expect staffing reductions as a result of the probationary terminations to have
26 substantial impacts on the operation of public lands managed by the BLM and USFS and wildlife
27 refuges managed by FWS. On February 28, 2025, the Coalition joined hundreds of other
28 organizations in writing to all Senators and members of Congress to protest the mass termination of
SUPPLEMENTAL DECLARATION OF DON NEUBACHER, No. 3:25-cv-01780-WHA 1

1 all probationary employees, and particularly those employed by the National Park Service, Bureau of
2 Land Management, Fish & Wildlife Service, and Forest Service. A true and correct copy of this letter
3 is attached hereto as Exh. 1. As we and the other organizations explained in this letter, approximately
4 5,700 employees had been terminated from those agencies by February 28, “without regard to the
5 agencies’ ability to carry out their mandates as required by law or the impacts on the management of
6 our public lands.” The loss of those employees threatens the enjoyment of public lands by our
7 members. For example, I am a regular visitor to the Sacramento National Wildlife Refuge and other
8 national wildlife refuges in the Central Valley, to view snow geese and other bird species. It is likely
9 that reductions in staffing will impair access to those areas and enable degradation of the habitat that
10 sustains those bird species.

11 5. On March 4, 2025, the Coalition wrote to the Acting Director of the National Park
12 Service, together with the Association of National Park Rangers, to request that NPS reinstate its
13 terminated probationary employees in response to this Court’s February 28, 2025 order. A true and
14 correct copy of this letter is attached hereto as Exh. 2.

15 6. In addition to the Coalition and its members’ strong interest in recreational activities in
16 the National Parks and on other public lands, the Coalition also has a robust program of
17 environmental advocacy. We frequently file comments on Environmental Impact Statements
18 throughout the country, both in connection with planned activities in the National Parks and in
19 connection with planned activities on other public lands that will affect the parks. We also comment
20 on Federal Aviation Administration plans that are likely to impact the parks. The likely degradation
21 of the parks and other public lands is also likely to affect this aspect of our work.

22 I declare under penalty of perjury under the laws of the United States that the foregoing is true
23 and correct. Executed this 6th day of March 2025 in Point Reyes Station, California.

24 

25
26
27 Don Neubacher
28

Exhibit 1

February 28, 2025

United States Senators and Representatives,

On behalf of our members, supporters, and volunteer stewards, we write with significant concerns regarding the recent mass firing of federal employees still within their probationary periods, particularly those individuals who had been employed by the Bureau of Land Management (BLM), U.S. Fish and Wildlife Service (FWS), USDA Forest Service (USFS) and the National Park Service (NPS). These firings are unprecedented (approximately 5,700 employees as of now) and made without regard to the agencies' ability to carry out their mandates as required by law or the impacts on the management of our public lands. This loss of staff will have devastating effects on the protection and management of these lands and cause economic hardship to the communities that surround them. We urge Congress to immediately reverse these terminations and halt any further workforce reductions to our public land management agencies.

Our nation's public lands are treasures to be stewarded by our land management agencies according to the missions for which Congress created them and the mandates dictated to them by law. It is these agencies whose employees are responsible for protecting these national treasures. These employees are educators, engineers, recreation specialists, permit processors, maintenance staff, campground hosts, front-facing park and forest rangers, wildlife biologists, backcountry safety patrollers, wildland firefighters, trail construction leaders, and all other kinds of professionals driven to serve their country with their expertise. With a steady decrease in staffing over the last decade, they are often overworked, underappreciated, and underpaid. Without them, however, the natural and cultural resources that belong to all Americans cannot be stewarded. They are vital to the \$1.2 trillion outdoor recreation economy, which is an engine of economic development for American communities throughout our nation.

These indiscriminate workforce reductions were made on the basis of abstract targets to reduce the federal workforce. The type or importance of the positions and reliance of Americans on their work were not considered. Critical positions such as maintenance, public health, human resources, and education positions have been terminated throughout the country.

Neither was the human factor of these citizens considered. Some who have trained for years to develop the expertise to serve their country, or were recently promoted in recognition of their service, were let go. Others who uprooted lives, moved across the country, and have exhausted their savings simply because they were called to serve the public were let go. Even high-level position holders, with long histories at one agency who

simply transferred to another agency or earned a promotion, were also let go as they were technically still on probation. These neighbors, colleagues, and community members pay taxes, buy groceries and are vital contributors to their local economies, where the loss of their jobs will cause real hardship.

We urge Congress to immediately reverse these terminations and halt any further workforce reductions.

Sincerely,

350.org	Arizona Faith Network
365 Degree Total Marketing	Arizona Trail Association
Ala Kahakai Trail Association	Asian Pacific Islander Forward Movement
Alamosa Riverkeeper	Association of National Park Rangers
Alaska Clean Water Advocacy	Atomic Heritage Foundation
Alaska Community Action on Toxics	Auburn-Opelika Tourism
Alaska Institute for Justice	Back Country Horsemen of New Mexico
Alaska Soles, Great Old Broads for Wilderness	Backcountry Horsemen of Oregon
Alaska Trails	Sourdough Chapter
Alaska Wilderness League	Bacon Street Youth and Family Services
Alianza Coachella Valley	Bark
All About Adventure	Bark for Mt Hood
Allegheny-Blue Ridge Alliance	Bear Creek Consulting
Alliance for a Better Utah	Bicycle Adventures, Inc.
Alta Peak Chapter, California Native Plant Society	Bicycle Trails Council of the East Bay
Amache Preservation Society	Bird Alliance of Oregon
American Baptist Churches, USA	Black Hills Clean Water Alliance
American Bird Conservancy	Black Warrior Riverkeeper
American Discovery Trail Society	Bolsa Chica Land Trust
American Hiking Society	Boston Harbor Now
American Whitewater	Bowling Green Area Convention & Visitors Bureau
Amigos De Los Rios	Bozeman Birders
Anacostia Riverkeeper	Braided Seeds
Animal Welfare Institute	Build Lebanon Trails
Appalachian Mountain Club	Buka Environmental
Appalachian Voices	CactusToCloud Institute
Archaeology Southwest	California Environmental Voters
	California Institute for Biodiversity

California Mountain Biking Coalition	Climate Law & Strategy
California Native Plant Society	Coalition for Sonoran Desert Protection
California Native Plant Society Mojave Desert Chapter	Coalition to Protect America's National Parks
California Native Seed Supply	Coastal Carolina Riverwatch
Collaborative	Cog Wild Bicycle Tours
Californians for Western Wilderness	Collier County Waterkeeper
CalWild	Colorado Mountain Bike Association
Cane River National Heritage Area	Colorado Mountain Club
Carriages of Acadia, Inc.	Colorado Native Plant Society,
Cascade Backcountry Alliance	Conservation Committee
Cascade Forest Conservancy	Colorado Wild Public Lands
Cascade Volunteers	Colorado Wildlands Project
Center for a Sustainable Coast	Colt Park Foundation, Inc.
Center for Community Action and Environmental Justice	Community Land Shepherds
Center for Large Landscape Conservation	Concord Freedom
Center for Sustainable Communities	Concord Trails Committee
Central Cascades Winter Recreation Council	Connecting Nature
Central Sierra Environmental Resource Center	Conservancy for Cuyahoga Valley National Park
Central/Eastern Oregon Chapter of the Great Old Broads for Wilderness	Conservation Colorado
Chattahoochee National Park Conservancy	Conservation Lands Foundation
Chattooga Conservancy	Conservation Minnesota
Chautauqua-Conewango Consortium, A Waterkeeper Alliance Affiliate	Conservation Northwest
Cherokee Concerned Citizens	Conservation Voters New Mexico
Cherokee Forest Voices	Conserve Southwest Utah
Chispa Arizona	Continental Divide Trail Coalition
Christians For The Mountains	Cook Inletkeeper
Citizens for a Safe & Clean Lake Superior	Coosa River Basin Initiative
City of Issaquah	Creation Justice Ministries
Clackamas River Basin Council	Cross New Hampshire Adventure Trail
Clarksburg Visitors Bureau	Cycle Yamhill County
Climate and Wildfire Institute	Cyclotour Guide Books
	Deer Tail Scientific
	Defenders of Wildlife
	Delaware River Greenway Partnership
	Dickinson County Trails Board
	Dolores River Boating Advocates

Duncan Development	Friends of Congaree Swamp
Earth Ethics, Inc.	Friends of Dyke Marsh
Earthjustice	Friends of Fairsted
ecoAmerica	Friends of Fish Lake
EcoFlight	Friends of Fish Lake and HistoriCorps
Edisto Chamber of Commerce	Friends of Hawai'i Volcanoes National
Edmonson County Tourist and	Park
Convention Commission	Friends of Ironwood Forest
Enchanted Circle Trails Association	Friends of Katahdin Woods and Waters
Endangered Habitats League	Friends of Kenilworth Aquatic Gardens
Endangered Species Coalition	Friends of Minidoka
Environmental Law & Policy Center	Friends of Minute Man National Park
Environmental Protection Information	Friends of Plumas Wilderness
Center	Friends of Pu'uuhonua o Honaunau
Environmental Services International LLC	National Historical Park
Evergreen Escapes	Friends of Rio Grande del Norte
Evergreen Mountain Bike Alliance	Friends of Saguaro National Park
Explore Brookhaven	Friends of San Pablo Bay National Wildlife
Explore Estill	Refuge
Farm 51	Friends of Save our Heritage
Firefighters United for Safety, Ethics, and	Friends of Scotchman Peaks Wilderness
Ecology	Friends of the 500th
FireGeneration Collaborative	Friends of the Boston Harbor Islands
Flagstaff Arts and Leadership Academy's	Friends of the Clearwater
Environmental Coalition	Friends of the Dunes
Forest Bridges: The O&C Forest Habitat	Friends of the Earth
Project	Friends of the Inyo
Forest Keeper	Friends of the Kalmiopsis
Forest Stewards Guild	Friends of the North Pikes Creek
Forest Unlimited	Wetlands
ForeverGreen Trails	Friends of the Sonoran Desert
Four Way Community Foundation	Friends of the Springfield Armory National
Franklin D. Roosevelt Hyde Park	Historic Site
Foundation	Friends of the West Shore
Friends of the Eel River	Friends of Vicksburg National Military
Friends of Acadia	Park and Campaign
Friends of Blackwater, Inc.	Friends of Wisconsin State Parks
Friends of Carl Sandburg at Connemara	

Friends of Women's Rights National
Historical Park
Gallatin Wildlife Association
Gila Chapter Back Country Horsemen of
America
Glacier-Two Medicine Alliance
Glen Canyon Institute
Golden Bricks Events
Grand Canyon Trust
Grand Staircase Escalante Partners
Grant Monument Association
Great Basin Resource Watch
Great Old Broads for Wilderness
Great Salt Lake Waterkeeper
Greater Gadsden Area Tourism
Greater Yellowstone Coalition
Green America
Greenbrier River Watershed Assoc. Inc.
Groton Ayer Buzz
Ground Squirrel Research
Ground Work Trails
Gunpowder Riverkeeper
Hamilton Partnership for Paterson
Hampshire County Convention & Visitors
Bureau
Headwaters Trails Alliance
Heather Nold
Henderson Tourist Commission
High Country Conservation Advocates
Hills For Everyone
Historic Pullman Foundation
Historicorp
Hot Springs Advertising & Promotion
Commission
Humboldt Waterkeeper
Idaho Conservation League
Idaho Trails Association
Idyllwild Forest Health Project

Inland Ocean Coalition
Intentional Hiking
International Fund for Animal Welfare
Issaquah Alps Trails Club
Issaquah Ice Cream Trike
Jackson County Tourism Development
Authority
Japanese American Citizens League
Kalmiopsis Audubon Society
Kayak Academy
Kentucky Heartwood
Kentucky Tourism Services Inc
Kettle Range Conservation Group
King County Play Equity Coalition
Klamath-Siskiyou Wildlands Center
KLM and Associates
Large Carnivore Fund
Lassen Forest Preservation Group
Latino Outdoors
Laura Beth Strickland
League of Conservation Voters
Lewis County CVB?Stonewallcountry
Liberty Tourism & Convention
Commission
Lofts on Central
Los Angeles Neighborhood Land Trust
Los Padres ForestWatch
Lowelife's Respectable Citizens' Club
Machine-Free Trails Association
Maine Audubon
Malach Consulting
Marin County Bicycle Coalition
Megafire Action
Methow Valley Citizens Council
Mi Familia Vota
Mid-Atlantic Off-Road Enthusiasts
(MORE)
Milwaukee Riverkeeper

Mining Impact Coalition of Wisconsin	New York - New Jersey Trail Conference
Mississippi Park Connection	North Cascade Films
Mississippi Tourism Association	North Fork Preservation Association
Missouri River Bird Observatory	North Sound Waterkeeper/RE Sources
Montana Conservation Voters	North West WI Equestrian Friends
Morehead-Rowan County Tourism	Network
Morongo Basin Conservation Association	Northeast Ohio Black Health Coalition
Mother Lode Chapter - Sierra Club	Northeast Tennessee Tourism
Mount Diablo Bird Alliance	Northern Alaska Environmental Center
Mount Rushmore Society	Northwest Colorado Great Old Broads
Mount Shasta Bioregional Ecology Center	Northwest portal
Mountains to Sound Greenway National	Northwest WI Equestrian Friends
Heritage Area	NY/NJ Baykeeper
MountainTrue	Oakridge Trails Alliance
MT Organizing Project	Ocean Conservation Research
National Association of Forest Service	Ohio Environmental Council
Retirees	Old North Illuminated
National Park Friends Alliance	Oldham County KY Tourism
National Park Hospitality Association	Olympic Hiking Co.
National Park Partners of Chickamauga,	Olympic Park Advocates
Chattanooga, and Moccasin Bend	Oregon Equestrian Trails
National Parks Conservation Association	Oregon Natural Desert Association
National Parks of Lake Superior	Oregon Outdoor Recreation Advisory
Foundation	Council
National Religious Coalition on Creation	Oregon Parks Forever
Care	Oregon Trails Coalition
National Wildlife Federation	Oregon Wild
National Wildlife Refuge Association	Outdoor Equity Coalition
Native Organizers Alliance	Outward Bound Adventures
Natural Resources Defense Council	Overmountain Victory Trail Association
Nature for All	Ozark Riverways Foundation
Nature Forward	Ozark Trail Association
New Belgium Brewing Company	Pacific Crest Trail Association
New Insights	Park City Tourist & Convention
New Jersey Sea Grant Consortium	Commission
New Mexico Climate Justice	Park County Environmental Council
New Mexico Sportsmen	Park Overlook Farm
New Mexico Wild	Partnership for the National Trails System

Patagonia Area Resource Alliance	Rural Voices for Conservation Coalition
Peace in the Wild	Russian Riverkeeper
Pelecanus	Sage Trail Alliance
Pennsylvania Recreation and Park Society	Sakura Foundation
Physicians for Social Responsibility PA	Salamander Volunteer Trail Crew
Pilchuck Audubon Society	Salem Area Trail Alliance
Pinchot Institute for Conservation	San Joaquin River Parkway &
Powell County Tourism Commission	Conservation Trust, Inc.
Prairie Rivers Network	San Jose Conservation Corps
Preserve Calavera	San Juan Citizens Alliance
Prestonsburg Tourism	San Juan Kayak Expeditions - The
Dr. Linda J. Bilmes, Professor, Harvard	Adventure Hub
Kennedy School	San Luis Valley Ecosystem Council
Project Eleven Hundred	San Luis Valley Great Outdoors
Protect the Kobuk	San Pedro 100
Public Lands Alliance	Sand Creek Massacre Foundation
Public Lands Foundation	Sandy Hook Foundation
Putnam County Tourism	Satilla Riverkeeper
Quiet Use Coalition	Save Our Earth
Rachel Carson Council	Save Our Heritage
Rainier BaseCamp	Save the Dunes
Raritan Riverkeeper	Save the Yellowstone Grizzly
Red Line Parkway Initiative	SAWS
Redbud Audubon Society	Securing Economic and Energy
Regeneración	Democracy
Releaf	Seneca Lake Guardian
Resinate with Ames, LLC	Sequoia Parks Conservancy
Resource Renewal Institute	Shār Snacks
Restore Oregon	Sheep Mountain Alliance
Rio Grande Indivisible, NM	Sierra Business Council
Rising Routes Alliance	Sierra Club
Riverkeeper	Sierra Club Wyoming Chapter
Rock Creek Conservancy Inc.	Sierra Foothills Audubon Society
Rocky Mountain Conservancy	Sierra Forest Legacy
Rocky Mountain Wild	Sierra Nevada Alliance
Rogue Riverkeeper	Silver Valley Community Resource Center
Roosevelt Campobello International Park	Silvix Resources
Rosedale Neighborhood Association	Siskiyou Crest Coalition

Sltka Trail Works	The Street Trust - Oregon
Sky Island Alliance	The Student Conservation Association
Snake River Waterkeeper	The Vermont Mountain Bike Association
Snowlands Network	The Wilderness Need Association
Sonoma Land Trust	The Wilderness Society
South Coast Tours LLC	The Wilderness Society
South San Juan Broadband	Third Act
South Yuba River Citizens League	Three Rivers Waterkeeper
Southeast Alaska Conservation Council	Town of Breckenridge Open Space & Trails
Southeast Tourism Society	Trail Access Project
Southern Environmental Law Center	Trail Riders of Today
Southern Off-Road Bicycle Association	Travel Unity
Southern Utah Wilderness Alliance	TREAD
Southwest Montana Mountain Bike Association	Trinity Coalition
Southwest Native Cultures	TROT
Southwest Wetlands Interpretive Association	True Wind Collaborative
Spokane Parks Foundation	Trust for Public Land
Standing Trees	Try This WV
Steven Fullerton	Tucson Organic Gardeners
Susitna River Coalition	Tuleyome
Sustainable Tucson	Turtle Island Restoration Network
Sustainable Water Network	Ulysses S. Grant Association
SWMMBA	Unite the Parks
TeamTLC	United States Tour Operators Association
The Adventure Hub	University of Washington, School of Environmental and Forest Sciences
The Arizona Deserts National Parks Partnership	Upper Gila Watershed Alliance
The Clinch Coalition	Upper Housatonic Valley NHA
The Colorado Mountain Club	Utah Physicians for a Healthy Environment
The Environmental Law Society of Vermont Law & Graduate School	Vail Valley Mountain Trails Alliance
The Fund for People in Parks	Vermont Huts Association
The League to Save Lake Tahoe	Very Concerned Citizen
The Mountaineers	Vet Voice Foundation
The Outer Banks Visitors Bureau	Virginia Wilderness Committee
The Service Board	Visit Issaquah
	Visit St. Francisville
	VisitLEX

Voyageurs Conservancy
Wasatch Backcountry Alliance
Washington Wild
Waterkeeper Alliance
Waterkeepers Chesapeake
WE ACT for Environmental Justice
West
West Virginia Environmental Council
West Virginia Highlands Conservancy
West Virginia Rivers Coalition
Western Colorado Alliance
Western Environmental Law Center
Western Resource Advocates
Western Slope Conservation Center
Western Watersheds Project
Wild Cumberland
Wild Livelihoods Business Coalition
Wild Montana
Wild Rivers Conservancy
Wilderness Workshop
Wildlands Network
Wildlife Conservation Society, Arctic
Beringia Program
Willamette Riverkeeper
Willamette Valley Chapter Native Plant
Society of Oregon
Winter Wildlands Alliance
Wolf Creek Community Alliance
Women's institute for Leadership and
Learning
WV Headwaters Waterkeeper
Wyoming Outdoor Council
Wyoming Wilderness Association
Wyoming Wildlife Advocates
Youth Outdoor Experience - Ironwood
Tree Experience
Youth United for Climate Crisis Action
Zero Hour

Exhibit 2



March 3, 2025

The Honorable Jessica Bowron
Acting Director
National Park Service

SENT VIA EMAIL

Dear Acting NPS Director Bowron,

As the CEOs of our respective non-profit organizations, the Coalition to Protect America's National Parks and the Association of National Park Rangers, we have been closely following the recent decision to terminate probationary employees from the NPS.

Our organizations currently have over 4,000 members, including current NPS employees, retirees and volunteers. They have expressed deep concern for these employees and for the impacts to park programs and visitors that would result from these terminations.

We are aware that the terminations of probationary employees was found to be illegal, both by the Office of Special Counsel/Merit Systems Protection Board and by U.S. District Judge William Alsup.

However, these decisions did not include a requirement to reinstate those fired and the decision to do that is apparently left up to the agencies.

We appeal to you, in the strongest terms, to initiate actions to reinstate all of those employees who were the victims of the illegal firing. Not only would this be the fair thing to do for the employees themselves, but it would eliminate the impacts to park visitors and NPS programs that would result from these firings. It would also help restore public confidence in the NPS's responsibilities to properly manage and care for the national park system.

Please do the right thing for the terminated employees and for the National Park Service.

Respectfully,

Phil Francis
Chair, Executive Council
Coalition to Protect America's National Parks

Rick Mossman
President
Association of National Park Rangers

Cc : Deputy Director Lena McDowell, National Park Service.